



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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April 25, 2006

IN REPLY PLEASE

REFER TO FILE: PD-1

TO: Each Supervisor

FROM: Donald L. Wolfe
Director of Public Works

ALAMEDA CORRIDOR–EAST CONSTRUCTION AUTHORITY SPECIAL BOARD MEETING–MARCH 30, 2006

On March 30, 2006, my staff attended the special Board meeting of the Alameda Corridor–East Construction Authority. A copy of the agenda and adopted minutes of the February 27, 2006, regular meeting and the March 9, 2006, special Board meeting are attached. The following items were discussed at the meeting, which are of interest to the County.

Agenda Item VI– The Chief Executive Officer reported that a Federal Appeals Court has made a ruling that affects the State's Disadvantaged Business Enterprise (DBE) program requirements when establishing DBE goals for contracts using Federal funds. Based on information provided, Caltrans will determine on May 1, 2006, whether to continue with the current race-conscious DBE program or change to a strictly race-neutral DBE program.

If Caltrans adopts a race-neutral DBE program, Alameda Corridor–East Construction Authority's Federally funded projects advertised with contract specific DBE goals but which have not yet resulted in executed contracts prior to May 1, 2006, would be required to be readvertised with the new race-neutral provisions.

Agenda Item VII– The Board adopted staff's recommendation to award the Brea Canyon Road Grade Separation project contract to Griffith Company, the second low bidder, in an amount not to exceed \$39,958,807. On March 9, 2006, the Board awarded the project to the low bidder, SEMA Construction, Inc. However, SEMA Construction, Inc. did not execute the contract within the specified time limit. Construction is expected to begin in June 2006.

Each Supervisor
April 25, 2006
Page 2

Agenda Item VIII– The Board adopted staff's recommendation to authorize the Chief Executive Officer to increase the contract amount by \$162,000 to a new contract amount of \$4,297,000 for HNTB Corporation to perform additional design services for the Sunset Avenue Grade Separation project.

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Attach.

cc: Chief Administrative Office
Executive Office



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

SPECIAL MEETING AGENDA

Thursday, March 30, 2006 – 2:00 P.M.

Irwindale City Hall – Council Chambers

5050 Irwindale Avenue

Irwindale, CA 91706

Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion.

- | | | |
|-------|--|--|
| I. | Roll Call and Introductions | |
| II. | Pledge of Allegiance | |
| III. | Approval of Minutes of Regular Meeting of February 27, 2006 and Special Meeting of March 9, 2006 (Pages 1-6) | Action |
| IV. | Public Comment | |
| V. | Chairman's Remarks | Action |
| VI. | Chief Executive Officer's Report (Pages 7-21) | Information |
| VII. | Approval of Award of Brea Canyon Road Grade Separation Construction Contract to Griffith Company (material to be distributed at meeting) | Possible Action |
| VIII. | Approval of Amendment to Sunset Avenue Grade Separation Design Services Contract with HNTB (Pages 22-23) | Action |
| IX. | Approval to Enter into Exclusive Right to Negotiate with Residential Communities, Inc. for Sale of Nogales Street Excess Property (Pages 24-26) | Action |
| X. | Closed Session: The Board will convene closed session for conference with legal counsel regarding existing litigation in accordance with subdivision (a) of Government Code Section 54956.9
Shea Homes Limited Partnership vs. Alameda Corridor-East Construction Authority Case No. BC338892
and
SEMA Construction Inc. vs. Alameda Corridor-East Construction Authority Case No. KC047959 | Possible Action

Possible Action |
| XI. | Adjournment | Action |

The ACE Construction Authority is currently constituted of seven (7) member jurisdiction; the Cities of El Monte, Industry, Montebello, San Gabriel and Pomona, the County of Los Angeles and the San Gabriel Valley Council of Governments. A San Bernardino County Council of Governments representative is an ex-officio Board member.

Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes.



**ACE Construction Authority
Regular Board Meeting
February 27, 2006
Minutes**

The Chair called the meeting to order at the Irwindale City Hall at 2:00 PM.

1. In attendance were:

Ernest Gutierrez, Chair
Harry Baldwin, San Gabriel
Bob Bagwell, Montebello
Phil Marcellin, Industry
Gloria Molina, County of LA
Carol Herrera, SGVCOG
Paul Eaton, Ex Officio, SANBAG

Staff

Rick Richmond, Chief Executive Officer
Joe Silvey, Legal Counsel
Sharon Neely, staff
Bruce Armistead, staff
Deanna Stanley, staff
Girish Roy, staff
Lou Cluster, staff
Chip Conway, staff

Guests

Manuel Saucedo, Senator Nell Soto
David Varnam, Congressman Gary Miller
Laura Corneje, City of Montebello
Gene Bougdanos, HDR
Allen Ude, LA County Department of Public Works
Steve Johnson, La Verne

2. Pledge of Allegiance

Board Member led the pledge of allegiance.

3. Approval of Regular Meeting minutes January 23, 2006.

A motion was made to approve the meeting minutes of January 23, 2006.

M/S/C: Marcellin/Hunter/Unanimous

4. Public Comments

There were no public comments.

5. Chairman's Remarks

Chairman Gutierrez reported that he represented ACE at the Governor's Goods Movement Action Plan meeting held on February 24 to speak in support of Phase II. He was hopeful the Action Plan would generate funds for Phase II of the ACE Project. He indicated Councilman John Fasana also presented support comments at the meeting on behalf of the SGVCOG Governing Board.

6. Chief Executive Officer's Report

Mr. Richmond indicated the Nogales Street grade separation project received a project achievement award from the Orange County Engineering Council. Bruce Armistead reviewed construction photos Temple, East End/Reservoir grade separation projects. Lou Cluster reviewed progress photos of the Ramona Blvd grade separation project.

7. Approval of Financial Statements and Audit Report for Fiscal Year 2005-06

Mr. Richmond reviewed proposed monthly financial reports that would include actual versus annual budget, project spending, status of grant reimbursements, and percentage of cash flow financing invested and investments. Discussion ensued regarding having the reports monthly and Chairman Gutierrez indicated a preference for quarterly reports consistent with the Quarterly Progress report. The other Board members spoke in support of his comments. Mr. Chip Conway, Financial Manager provided an overview of the 2005 Financial Audit. He indicated this was the project's sixth year of clean audits (no material findings). Mr. Richmond reviewed the Authority's monthly revenues, expenses, and balance sheet. There were no questions.

8. Approval to Reject All Bids and Re-bid Sunset Avenue Grade Separation Construction Contract

Mr. Richmond summarized the Sunset Avenue grade separation project construction bid schedule. He indicated the bids opened on January 19th and substantially exceeded the engineer's estimate. He indicated the low bid was in line with the engineer's estimate for 106 of 108 bid items with the discrepancy in the embankment wall. He reviewed specifications for retaining walls required by the Union Pacific Railroad (UPRR). He indicated a preferred option was to redesign to an anchor wall and substitute the wall finish treatment. He indicated the anchor wall was an acceptable alternative to the UPRR. He indicated a potential savings of approximately \$2 million and that the redesign and procurement will take four months with no project completion delay. He reported it would require an amendment to the design contract of approximately \$80,000.

A motion was made to (1) reject all bids received for the Sunset Avenue grade separation contract and (2) re-solicit bids based on the alternate design options.
M/S/C: Herrera/Marcellin/Unanimous

9. Review of Proposed Amendments to San Gabriel Valley Council of Governments Bylaws

Member Herrera indicated the San Gabriel Valley Council of Governments thought it necessary to periodically review the bylaws to ensure the language was amenable to both the COG and ACE. She indicated a review committee was established and the proposed amendments were a result of the committee recommendations. She requested the Board review the amended bylaws and requested any changes be given to Mr. Richmond as soon as possible. She reported the COG Board would consider adoption at their March 16 meeting.

10. Approval of Support Positions on AB 1157

Mr. Richmond summarized AB 1157 (Frommer) which would provide \$300 million in bond legislation for grade separations to improve safety. Funding would be allocated pursuant to a priority list prepared by the Public Utilities Commission which considered corridors with high passenger train counts. He indicated ACE ranked 30. He indicated the need to work with the author to modify the formula to include criteria for freight trains length. This is a safety issue at crossings in the San Gabriel Valley that are affected by the length of freight trains. Motorists and pedestrians are more likely to commit safety violations such as drive arounds to try to beat the trains when they foresee an extended wait time due to an oncoming train. He further recommended the legislation be modified to direct the PUC or Caltrans to use administrative procedures which will ensure expeditious use of bond funds.

A motion was made to support AB 1157 (Frommer) and work with Author to incorporate the changes described in the staff report (page 63 of the agenda).
M/S/C: Baldwin/Marcellin/Unanimous

11. Closed Session

Legal Counsel, Joe Silvey announced the Board would adjourn to closed session in accordance with Government Code 54956.8 to discuss real property negotiations.

The Board returned and Mr. Silvey announced there was no action to report.

12. Adjournment

The meeting was adjourned at 3:09 PM.



**ACE Construction Authority
Special Board Meeting
March 9, 2006
Minutes**

The Chair called the meeting to order at the Irwindale City Hall at 2:04 PM.

1. In attendance were:

Ernest Gutierrez, Chair
Harry Baldwin, San Gabriel
Bob Bagwell, Montebello
Phil Marcellin, Industry
Steve Johnson, LaVerne, SGVCOG

Staff

Bruce Armistead, Acting CEO
Joe Silvey, Legal Counsel
Larry Lubka, Legal Counsel
Deanna Stanley, staff
Girish Roy, staff
Lou Cluster, staff
Chip Conway, staff

Guests

Jeff D. Bird, Foundation Pile, Inc.
Steve Mills, SEMA Construction
Azzam Saad, SEMA Construction
Rick Andrade, Andrade & Associates
Brett Ames, SEMA Construction

2. Pledge of Allegiance

Board Member Hunter led the pledge of allegiance.

3. Public Comments

There were no public comments.

**4. Approval to Award the Brea Canyon Road Grade Separation
Construction Contract to SEMA Construction Inc.**

Member Marcellin indicated his employer, C&C Engineering has a contract with SEMA Construction and therefore recused himself and left the meeting. Girish Roy reviewed the specifications of the construction contract. Cynthia Ambrose reviewed the procurement process. She indicated bids were opened on February 23, 2006 with three bids received – SEMA Construction (\$35,181,233), Griffith Company (\$39,958,807) and Steve Rados, Inc. (\$44,167,223). She indicated all bidders met

the 10% DBE goal and the lowest bid was responsive. She indicated on March 1 SEMA notified ACE of a mistake on their bid, asked for its withdrawal and return of their bid bond. Bruce Armisted informed the Board that ACE was also served with a complaint on March 8th. He indicated SEMA was requesting relief from its obligation of its bid due to a clerical error. He indicated state law permits withdraw of bid due to a material mistake but it was staff's belief that the proposed error did not fall under this category. ACE's attorney, Mr. Silvey indicated that in light of the service of the complaint, the Board could move to closed session, upon a vote to do so, to discuss with legal counsel the impact of the litigation on the construction contract award on the Board's agenda, but he recommended that the Board take all public comments before considering to move to closed session.

Chairman Gutierrez opened public comment.

Rick Andrade, attorney for SEMA Construction addressed the Board. He indicated it was SEMA's desire to withdraw its bid due to a clerical and mathematical error in its bid. He indicated the error falls within the intent of the law and therefore should relieve SEMA from forfeiture of its bidder's bond. He indicated SEMA was an aggressive and often lowest bidder who generally never walks away from its bid. He indicated, however, that the clerical error resulted in a \$3.5 million omission from its final calculation. He asked Brett Aimes to review the chronology of events leading to the error. Mr. Aimes reviewed the magnitude of responsibilities of the team preparing bid submission. He indicated the error occurred as a result of a last minute substitution of electrical service providers from Steiny to High Light Electric. He indicated the final value was not included in the bid. He indicated a clerical error was of the typist who incorrectly keyed the number one key rather than the number four. He highlighted several exhibits related to High Light Electric including a listing of contractors, analysis quotes and estimate. There were several comments and questions from the Board.

After the conclusion of all public comments, a motion was made to adjourn to closed session to speak with legal counsel regarding the complaint filed by SEMA and implications of the litigation on the award of the construction contract to SEMA.

M/S/C:Hunter/Baldwin/Passed

Mr. Silvey announced that in accordance with Government Code section 54956.9(b) the Board would adjourn to closed session to discuss with legal counsel the matter of SEMA v Alameda Corridor-East Construction Authority, Case No. KC047959 and its possible effect on the award of the Brea Canyon Road Construction Contract Award.

The Board returned from closed session and Mr. Silvey announced there were no actions taken that had to be reported.

A motion was made to authorize the award of the Brea Canyon Road grade separation construction contract to SEMA Construction Inc. effective March 10, 2006 in an amount not to exceed \$35,181,234.

M/S/C:Baldwin/Hunter/Passed
Member Marcellin returned to the meeting.

5. Approval to Apply for State Grade Separation Funds for Brea Canyon Road Grade Separation Project

Lou Cluster reported that the California PUC had \$24.86 million in state grade separation funds accumulated from prior fiscal years. He indicated that in 2004 of the 58 grade separation projects ranked for funding, the Brea Canyon Road ranked 26th. He indicated that even though the project did not rank high it was staff's intent to submit an application for funds to be used for the construction of the Brea Canyon Road grade separation and the project could potentially receive up to \$5 million. He indicated a resolution was required by the Board along with other specific state of readiness documents.

A motion was made to approve Resolution 06-02 which authorizes the Chief Executive Officer to submit an application to the California Department of Transportation (Caltrans) for an allocation of fiscal year 2005-06 State Grade Separation Funds.

M/S/C:Hunter/Baldwin/Unanimous

6. Adjournment

The meeting was adjourned at 3:12PM.



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: March 27, 2006

SUBJECT: CEO Monthly Report

The following are items of note since the last meeting:

FY '07 Federal Transportation Appropriation Request - During the Board and staff meetings in Washington DC on March 13 and 14th, the Authority submitted a \$20 million FY '07 transportation appropriation request through our congressional representatives to the House and Senate Appropriations Committees. The Committees due date for requests is March. The Federal fiscal year begins October 1, 2006.

State Infrastructure Bond Legislation Update - In the final hours before the deadline for passing a June infrastructure bond bill, the transportation components (including the \$2 billion goods movement funding) of the proposed bond were taken out of the Assembly legislation and legislation was passed with only a school and levee bond measure. That legislation was not supported by the Senate who adjourned. Consequently, no legislation was passed in time for the June ballot. It is doubtful at this time, that there will be a transportation ballot initiative for the November ballot. Staff will continue to monitor the discussions and provide monthly updates as appropriate.

DBE Program Update - A Federal Appeals Court has made a ruling that affects the state's Disadvantaged Business Enterprise (DBE) program requirements when establishing DBE goals for contracts using federal funds. Staff attended a Caltrans meeting on March 7th to discuss the impacts of the ruling and regulation changes and to determine if this guidance will affect ACE's DBE Program, including projects currently in the procurement phase. Based on the information provided, Caltrans has established a target date of May 1, 2006 to issue a final decision on whether to continue with the current race-conscious DBE Program or change to a strictly race-neutral DBE Program. If Caltrans adopts a race-neutral DBE Program, ACE's federally funded contracts executed prior to May 1, 2006 would not be impacted by this decision. ACE would continue to administer the DBE program and contract-specific goals in accordance with executed contracts. However, federally funded projects advertised with contract-specific DBE goals but which have not yet resulted in executed contracts prior to May 1, 2006 would be required to be amended and re-advertised with the new race-neutral provisions.

ACE's current federal projects that could be affected include the Brea Canyon Road and Sunset Avenue grade separation projects. The Brea Canyon Road project was awarded on March 10, 2006. The Sunset Avenue project is anticipated for re-release after the May 1 deadline. Therefore, if Caltrans changes to a race-neutral program, the project will be advertised without a contract-specific DBE goal.

Community Outreach Update - Staff has conducted the following project outreach activities:

1. Distributed construction alert notices and conducted outreach briefings regarding commencement of demolition activities for the Brea Canyon Road grade separation project;
2. Conducted outreach to Hispanic media regarding ACE Project;
3. Conducted ongoing business support program and community outreach activities for the Reservoir Street/East End Avenue, Ramona Boulevard and Temple Avenue projects.

Contracting – Our Administrative Code delegates to the CEO the authority to approve new contracts or change orders for Board-approved contracts within certain limits, with a requirement that I report to the Board any such contract action. Below is a list of such contract actions since the last report that have not been separately approved by the Board.

<u>Contractor</u>	<u>Reason for Change</u>	<u>Previous Value</u>	<u>Change Amount</u>
Interior Demolition, Inc.	Discovery of previously unidentified septic tank and cesspool at property to be demolished.	\$78,284	\$20,000

Construction Progress Reports – Attached are construction progress reports on East End Ave., Reservoir St., Ramona Ave. and Temple Ave. projects.

Financial Reports – Attached are our monthly project financial reports through February 2006.

Program Management Monthly Report - The Bechtel/Korve program management support activities for the last month is attached.

**ALAMEDA CORRIDOR EAST
PROJECT STATUS REPORT
RAMONA BLVD. GRADE SEPARATION**



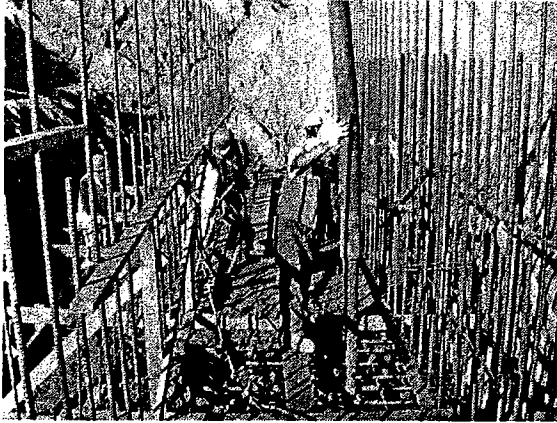
For the Month: **February 2006**

Scope:	Construct a grade separation at Ramona Blvd. in the City of El Monte
Contractor:	Brutoco Engineering & Construction, Inc.
Construction Manager:	Lim & Nascimento Engineering (LAN)
Contract Award:	September 27, 2004
Notice to Proceed:	December 15, 2004
Estimated Contract Completion:	July 27, 2007

Project Milestone Summary	Estimated Start	Estimated Completion	% Complete
Install Storm Drain System	May 2005	April 2007	66%
Install Water Line	September 2005	April 2007	21%
Prepare Shoofly	July 2005	April 2006	46%
Construct UPRR bridge foundations	July 2006	September 2006	
Construct UPRR bridge superstructure	May 2005	December 2006	9%
Construct Future UPRR bridge foundations	March 2007	May 2007	
Construct Metrolink bridge foundations	July 2006	September 2006	
Construct Metrolink bridge superstructure	September 2005	December 2006	1%
Build Pump Station	December 2005	November 2006	21%
Construct Retaining Walls	August 2005	June 2007	13%
Ramona Blvd. Civil Work	April 2005	July 2007	19%
Open to public		July 2007	
Complete Landscaping/Irrigation	May 2007	July 2007	

Financial Summary	
Original Contract Value	\$ 17,721,474.85
C.O.s Approved This Month	\$ 0.00
C.O.s Approved to Date	\$ 253,986.07
Current Contract Value	\$ 17,975,460.72
Total Earned to Date	\$4,432,038.46

RAMONA BOULEVARD GRADE SEPARATION PROJECT



**Retaining Wall #3 & #4 – Footing Pour on
February 24, 2006**

STAGE 1 WORK RESUMED WITH THE REMOVAL OF THE CP SHELTER HOUSES, WHICH WAS COMPLETED ON FEBRUARY 22, 2006.

STAGE 2 WORK RESUMED WITH THE RAIL DIVERSION ONTO THE UPRR SHOOFLY TRACKS ON FEBRUARY 26, 2006.

STAGE 3 WORK CONTINUES WITH THE PLACEMENT OF SHORING FOR RETAINING WALL 4. PLACEMENT OF 24" CIDH PILES FOR RETAINING WALL 4 WAS COMPLETED ON FEBRUARY 2, 2006. FOOTING WORK COMMENCED ON FEBRUARY 7, 2006 BETWEEN STATIONS 305+75 AND 309+84, AND WAS POURED ON FEBRUARY 24, 2006.

CONTRACTOR BRUTOCO CONSTRUCTION

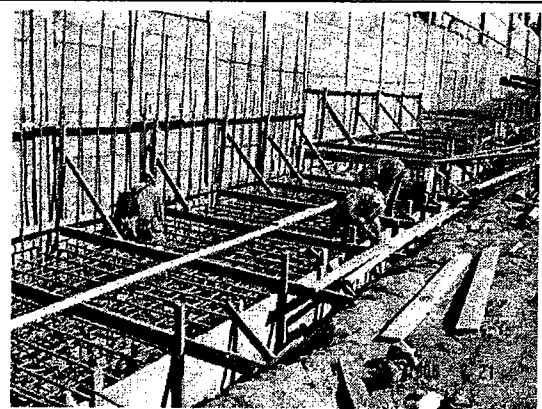
CONTRACT AWARD DECEMBER 2004
COMPLETION JULY 2007

ORIGINAL CONTRACT \$ 17,721,475
CHANGE ORDERS \$ 253,986
TOTAL CONTRACT \$ 17,975,461

EARNED TO DATE \$ 4,432,039

CURRENT STAGE OF WORK

STAGE 1 SHELTER HOUSE REMOVAL
STAGE 2 UPRR DIVERSION TO SHOOFLY
STAGE 3 RW 4 24" CIDH PILES



**Rebar Installation at Retaining Wall #3
& #4 on February 21, 2006**



**IAN ENGINEERING
CORPORATION**
CONSTRUCTION MANAGEMENT DIVISION

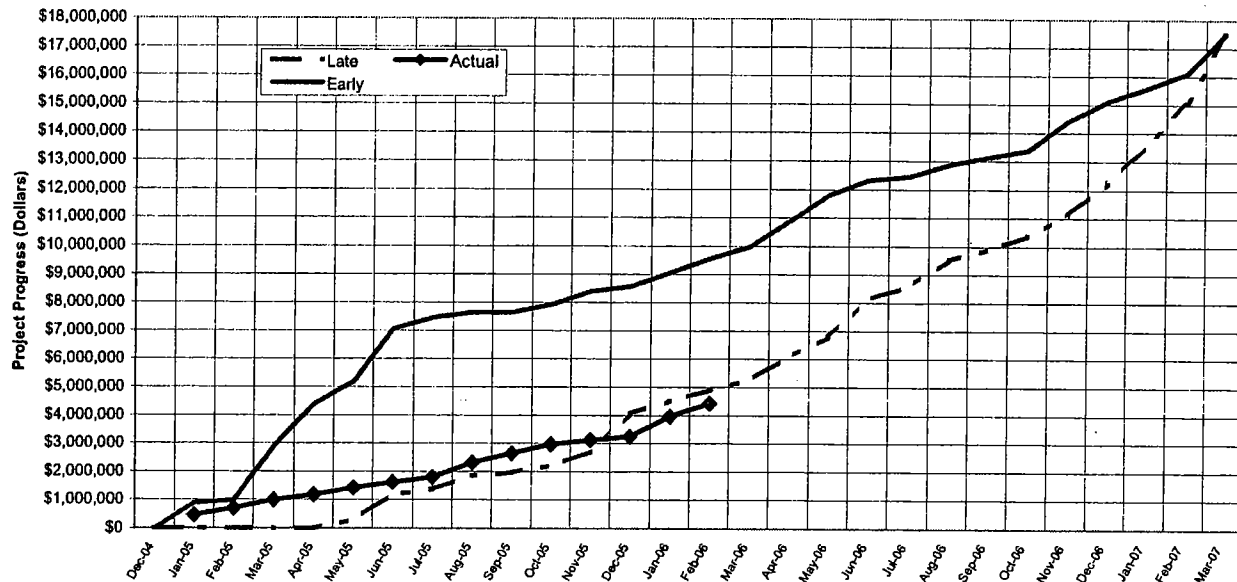
FEBRUARY 2006

ALAMEDA CORRIDOR EAST
PHYSICAL PROGRESS MEASUREMENT
RAMONA BLVD. GRADE SEPARATION

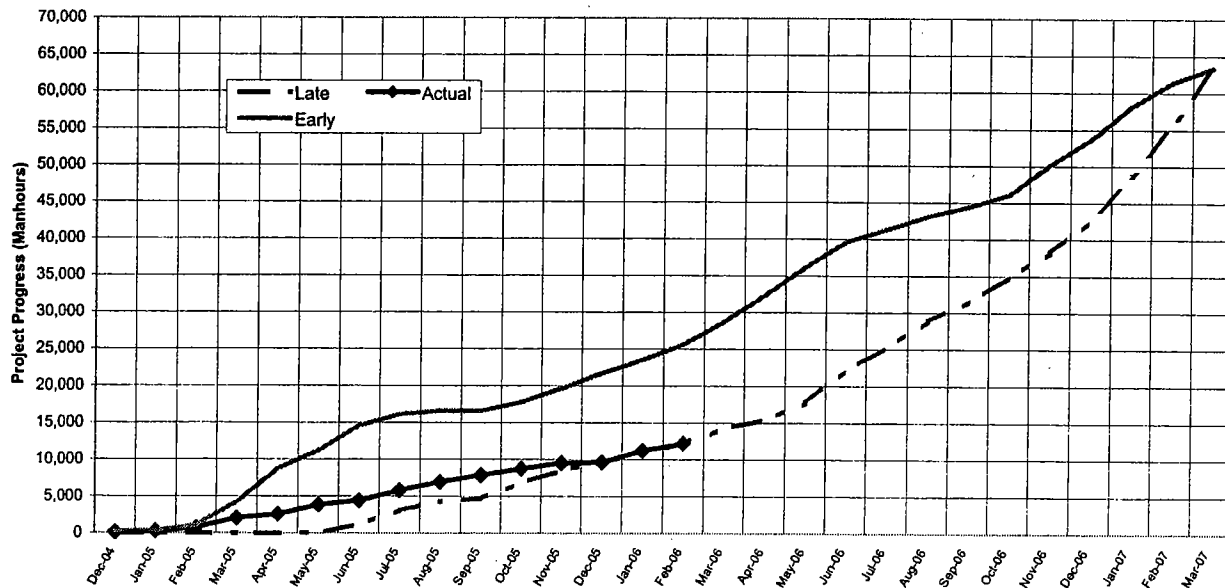


For the Month : **February 2006**

**Ramona Blvd. Construction
Total Project Progress
(Based On Earned Revenue and Accepted Baseline)**



**Ramona Blvd. Construction
Total Project Progress
(Based On Earned Manhours and Accepted Baseline)**



ALAMEDA CORRIDOR EAST
PROJECT STATUS REPORT
TEMPLE AVENUE TRAIN DIVERSION PROJECT

For the Month: **February, 2006**

Scope:	Construct 3 new railroad bridges and 1 new traffic bridge; widen 3 existing railroad bridges; grade for new track bed and modifications of existing track beds; construct sound walls, retaining walls, and pier protection walls; install utilities or modify existing utilities; rehabilitate existing LDC well; and, construct new Audiology Clinic for Lanterman Developmental Center.
Contractor:	Yeager Skanska, Inc.
Construction Manager:	Parsons Brinckerhoff Construction Services, Inc. (PBCS)
Contract Award:	January, 2005
Notice to Proceed:	May 2, 2005
Anticipated Completion:	August 29, 2007

Reservoir Schedule Summary	Estimated Start	Estimated Completion	% Complete
Work within Cal Poly Spadra Farm	May, 2005	April, 2006	90%
Audiology Clinic @ Lanterman DC	May, 2005	March, 2006	90%
Remaining work on LA Subdivision	May, 2005	August 2007	45%
Work on ALH Subdivision Passing siding	May, 2005	ON HOLD*	10%

Financial Summary			
Original Contract Value	\$24,389,743		
C.O.s Approved This Month	\$ 917,396		
C.O.s Approved to Date	\$ 917,396		
Current Contract Value	\$25,307,139		
Current Paid to Date	\$14,257,644		56%

ALAMEDA CORRIDOR EAST
PROJECT STATUS REPORT
EAST END/ RESERVOIR GRADE SEPARATIONS

For the Month: **February, 2005**

Scope:	Construct two railroad and two roadway bridges to grade separate the East End and Reservoir roadways from the railroad.
Contractor:	Ortiz Enterprises, Inc.
Construction Manager:	Parsons Brinckerhoff Construction Services, Inc. (PBCS)
Contract Award:	March, 2004
Notice to Proceed:	June, 2004
Estimated Completion:	Reservoir – October 2006 East End – April, 2008

Reservoir Schedule Summary	Estimated Start	Estimated Completion	% Complete
Reservoir utility relocations	June 2004	July 2006	95%
Close Reservoir/construct shoofly grade	September 2004	September 2004	100%
UPRR shoofly construction	September 2004	January 2005	100%
Railroad bridge construction	February 2005	February 2006	100%
1 st Street bridge construction	March 2006	October 2006	
lower streets/construct retaining walls	August 2005	September 2006	8%
Open 1 st Street to traffic	September 2006		
Open Reservoir Street to traffic	October 2006		
East End Schedule Summary			
East End utility relocations	June 2005	May 2007	5%
Begin shoofly construction for East End	September 2005	October 2006	25%

Financial Summary			
Original Contract Value	\$30,208,600		
C.O.s Approved This Month	\$ 867,093		
C.O.s Approved to Date	\$ 396,939		
Current Contract Value	\$31,472,632		
Invoice Approved to Date	\$10,433,057		33%

MONTHLY PROGRESS REPORT
ALAMEDA CORRIDOR-EAST PROGRAM MANAGEMENT SERVICES
PERIOD ENDING 2/28/06

This report summarizes activities undertaken between February 1 and February 28, 2006.

OVERVIEW:

Work is proceeding on project implementation on several fronts, with an emphasis on:

- IRRIS system operating under monitoring and evaluation phase. Remedial work for EVA train detection sensors and system to conform to specifications is in progress. Testing of the first remedial site work was completed successfully. Remedial work for remaining sites are in process.
- Brea Canyon Road Grade Separation Project – Continuing right-of-way acquisition process. Continued utility relocation coordination with the agencies. Continued utility relocation for fiber optic lines. ACE received three bids on February 23, 2006 and the bids are being evaluated for award.
- The Brea Canyon Road demolition contract for Kennedy property was awarded to Interior Demolition on December 20, 2005. Demolition to begin on March 13, 2006 and will be completed in six weeks.
- At the Nogales Street underpass project the pumphouse control system had final testing and logic adjustments leading to LACDPW acceptance of its operation and maintenance. There was a site walk with West Covina Public Works to inventory irrigation facilities. Other field activities included final meetings with adjacent private property owners. Contract closeout and final quantity change orders are being negotiated.
- Nogales St. (LA Subdivision): The project responsibility of this project was handed over to the County in mid May 2005. Design is continuing under County management.
- The Temple Ave Train Diversion construction continued with installation of the San Jose creek railroad bridge main span. San Jose Creek vehicle bridge is complete and in use. Spadra farm underpass bridge pile caps and abutments completed. Spadra Farm Road construction is complete. Fill work drainage ditches and fencing is complete along the diversion, installation of the subballast remains. Completed the Audiology building framing at the Lanterman Development Center.
- Continued coordination and review of the Ramona, Reservoir, Brea Canyon and Sunset Avenue project construction interface schedules with UPRR.

BUDGET/SCHEDULE

Work is currently proceeding within schedule and budget.

COMPLETED AND ONGOING WORK ACTIVITIES

PROGRAM MANAGEMENT SCOPE

I. General Program Management & Administration Service:

A. Management and Administration

- Provided direction to PM team for accomplishment of tasks.
- Maintained progress on tasks.
- Submitted monthly invoice.
- Prepared various cost and budget reports.

- Updated detailed project schedule.
- B. Procurement
 - Continued review and processing of active contract changes and documentation for the Temple Train Diversion, Reservoir St., Ramona Blvd and Nogales grade separation projects.
 - The Brea Canyon project construction bids were received on February 23, 2006 and are being evaluated.
- C. Quality Control Program/Value Engineering
 - Performing audits/surveillances per Quality Mgmt. Surveillance/Audit schedule
- D. Utility Program Management
 - Ongoing planning and coordination with major utility companies.
 - Continued utility relocations for the Brea Canyon Grade Separation Project.
 - Continued with relocation of utilities for the Sunset Avenue Project.
- E. Environmental Program
 - Continued Mitigation Monitoring and Reporting Programs.
 - IS/EA draft report for San Gabriel Rail lowering project completed. Currently being edited based on Caltrans/FHWA comments.
- F. Permitting Support
 - Planning for permits from regulatory agencies.
 - Traffic engineering design changes related to a revision to ACE's CPUC authority to build the Sunset Avenue project (to add a bridge at Orange Avenue) are under review by the project team.
 - There was a field meeting at Brea Canyon Road with UPRR and the CPUC to discuss shoofly lineover phasing and operation of the temporary Metrolink station access road grade crossing.

II. Project Management Services

- Ongoing project coordination with involved agencies/jurisdictions/UPRR.
- Providing technical direction to B-K sub consultants.

TECHNICAL SCOPE

Right-of-Way Program and Technical Services

- Negotiations ongoing on one (1) Reservoir Street property, one (1) Temple Avenue train property and three (3) Ramona Boulevard properties. Mediation completed for one (1) Ramona Blvd. property.
- Processing relocation assistance for two (2) businesses located at the Ramona Boulevard Grade Separation Project.
- Continued property management of one (1) East End Avenue property, six (6) Nogales Street Grade Separation Project properties, eleven (11) Reservoir Street properties and four (4) Ramona Boulevard properties.
- Offers to purchase packages for Brea Canyon Road and Sunset Ave. projects completed. Negotiations ongoing for all parcels.
- Provided support in obtaining easement rights needed for utility relocation on Nogales Street, Reservoir Street, East End Avenue and Ramona Boulevard projects. Resolution of Necessity for

two (2) Sunset Ave. properties and four (4) Brea Canyon properties approved August 22, 2005. Litigation support ongoing.

- Evaluated the potential inconvenience during construction activities to residents adjacent to Brea Canyon Road project.
- Responded to property owner inquiries regarding the ACE Project at Ramona Boulevard, East End Avenue, Nogales Street, Reservoir Street, Temple Avenue Train Diversion, Brea Canyon Road, Sunset Avenue and Baldwin Avenue.
- Continued liaison with Caltrans Local Programs personnel.

Railroad and Shoo-fly Design

- Continued coordination with UPRR and SCRRA on Ramona Grade Separation Project on scheduling of their signal and track work with ACE contractor interfaces.
- Continued coordination with UPRR for the Brea Canyon and Sunset Avenue projects.

Surveying and Mapping Program

- Currently working the Plats and Legal descriptions for the required property at Ramona Grade Separation Project.
- Developing Plat Maps and legal descriptions for the required properties at Brea Canyon and Sunset Avenue project files.

NEXT PERIOD

Continue development of all scheduled activities.

ACE Construction Authority
FY 2006 Budget vs. Actuals
February 2006

Month		(\$ 000)	
Prorated Budget	Estimated Actuals	Under (Over)	
Expense		Year-to-date	
		Prorated Budget	Estimated Actuals Under (Over)
Indirect			
Personnel	99.7 69.3 30.4	797.6	808.4 (10.8)
Employee Related Expenses	5.6 9.5 (3.9)	45.9	38.4 7.5
Professional Services	180.1 34.9 145.2	1441.7	1344.5 97.2
Insurance	34.1 25.4 8.7	273.3	273.3 -
Equipment Expense	2.9 5.2 -2.3	22.7	30.1 -7.4
Office Expense	16.6 16.8 (0.2)	133.3	134.2 (0.9)
Office Operations	5.0 2.5 2.5	41.3	19.8 21.5
Indirect S/T	344.0 163.6 180.4	2,755.8	2,648.7 107.1
Direct (Construction)			
Program Management	209.3 233.1 (23.8)	1,674.9	1,584.0 90.9
Design	74.4 551.6 (477.2)	595.3	1,617.9 (1,022.6)
ROW Acquisition	354.1 2.1 352.0	2,833.3	2,301.0 532.3
Utility Relocation	388.1 447.0 (58.9)	3,104.7	1,354.0 1,750.7
Construction Mgt	425.1 790.9 (365.8)	3,400.7	2,579.8 820.9
Railroad	715.5 757.5 (42.0)	5,724.0	4,004.4 1,719.6
Construction	2,840.1 3,494.9 (654.8)	22,720.7	23,806.1 (1,085.4)
Other	89.4 246.1 (156.7)	715.1	638.6 76.5
Direct S/T	5,096.0 6,523.2 (1,427.2)	40,768.7	37,885.8 2,882.9
Total ACE	\$ 5,440.0 \$ 6,686.8 \$(1,246.8)	\$ 43,524.5	\$ 40,534.5 \$ 2,990.0

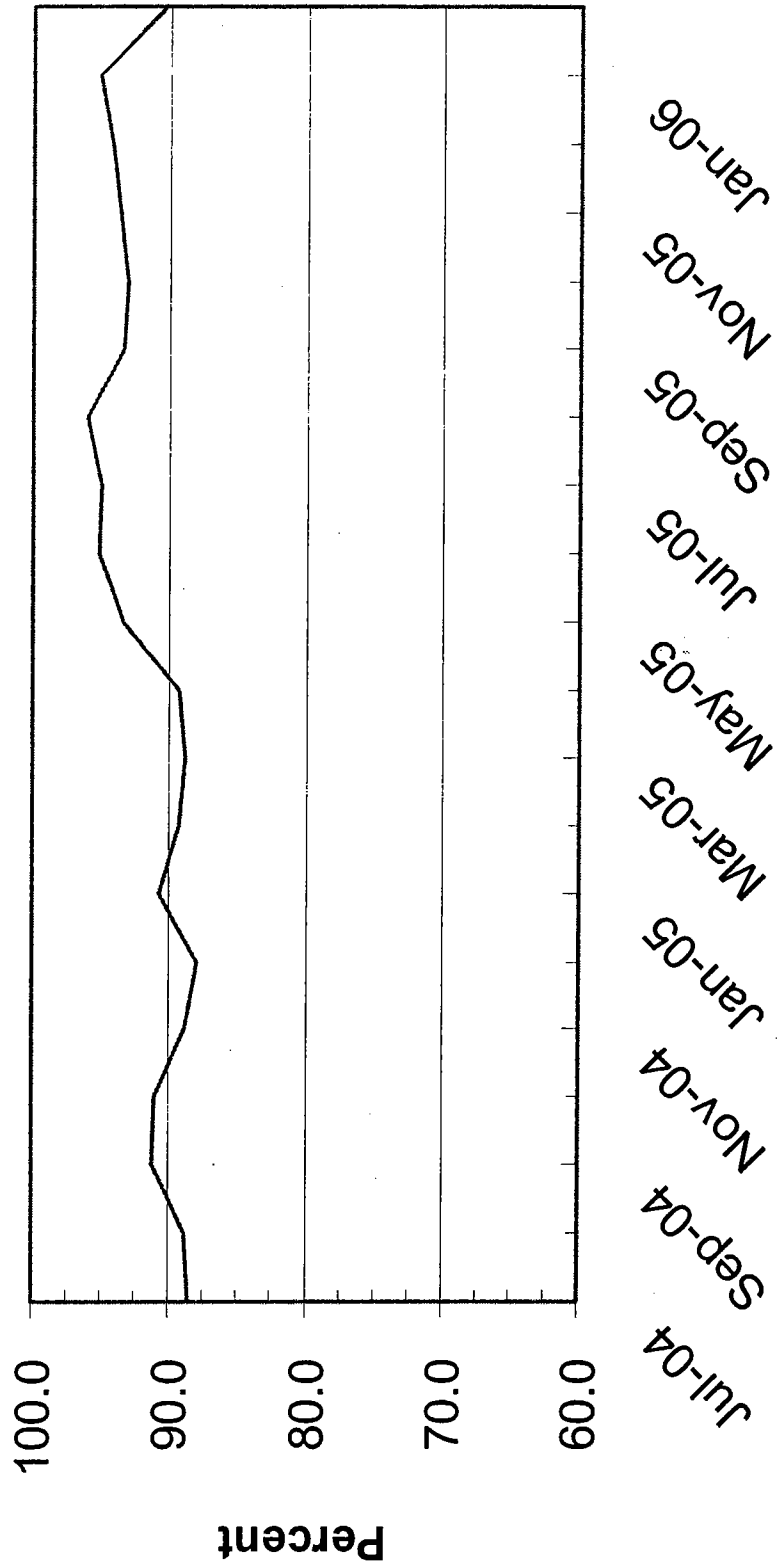
**ACE Construction Authority
Expenditures by Project**

Projects	Incurred (Paid)			(\\$ 000)
	January	Year-to-date	Incurred-to-date	
Jump Start	25	115	33,910	
Nogales	194	4,082	52,845	
EE/Reservoir	1,857	7,141	38,164	
Ramona	971	5,973	22,557	
Temple	2,421	14,087	32,465	
Sunset	53	416	5,118	
Brea Canyon	186	3,366	8,231	
Nogales (County)	-	61	2,271	
Baldwin	-	5	3,192	
Other & Betterments	-	-	1,453	
Sub-total Projects	5,708	35,247	200,204	
Project Administration	25	1,847	6,077	
Total ACE	5,733	37,094	206,281	

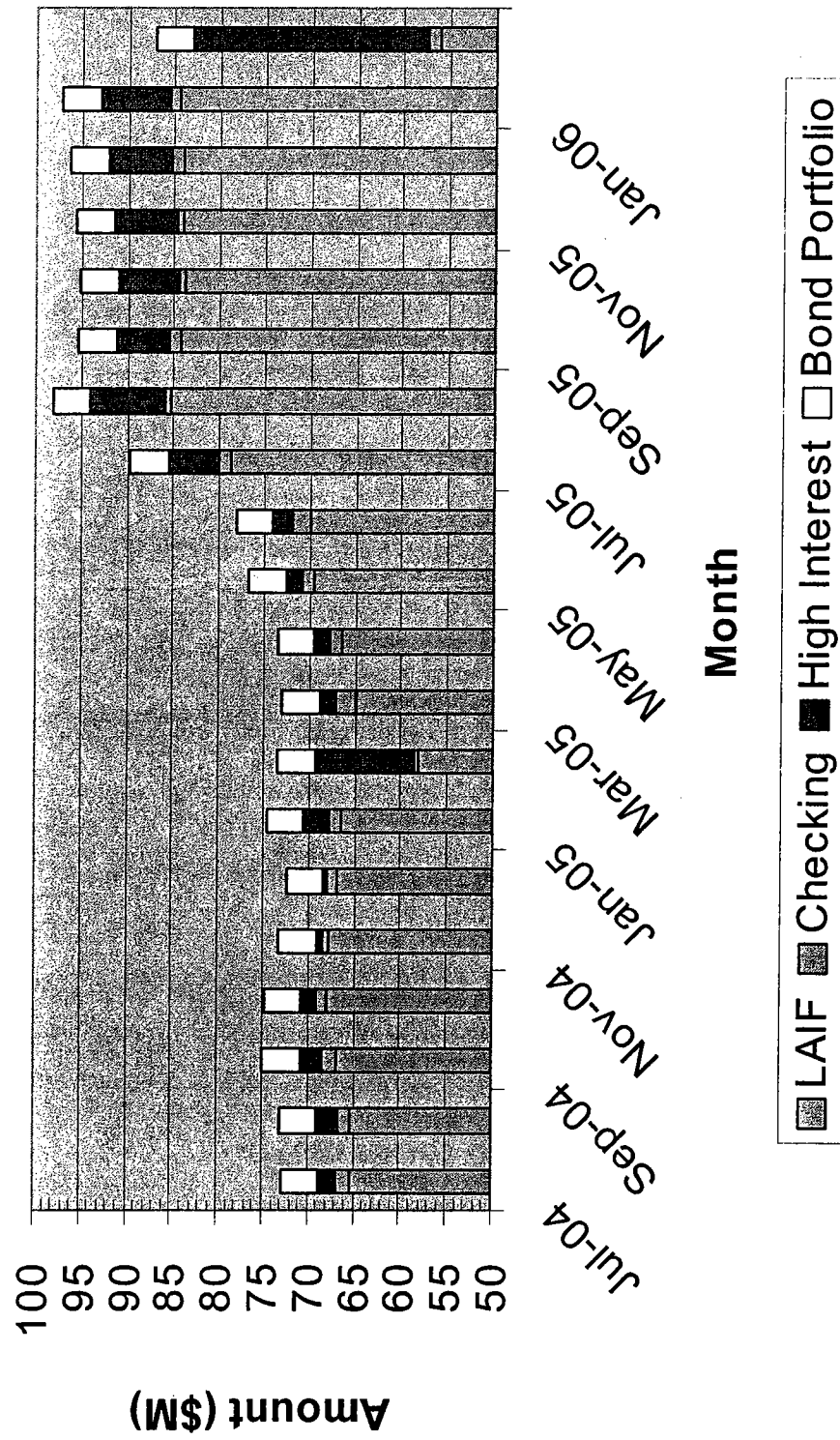
**ACE Construction Authority
Expenditures by Project**

Projects	Expend	Reimbursement Status				(\$ 000)
		Billed/Not				
		ITD	Received	Received	To Be Billed	
Crossing Safety	33,910	33,339	(177)	748	-	
Nogales	52,845	51,714	(1,733)	2,865	-	
EE/Reservoir	38,164	37,937	1,867	(1,640)	-	
Ramona	22,557	21,513	804	240	-	
Temple	32,465	26,699	5,367	399	-	
Sunset	5,118	4,973	(602)	746	-	
Brea Canyon	8,231	8,627	(1,798)	1,401	-	
Nogales (County)	2,271	2,194	-	77	-	
Baldwin	3,192	3,186	-	6	-	
Other & Betterments	1,453	1,446	-	7	-	
Sub-total Projects	200,204	191,628	3,728	4,849	-	
Project Administration	6,077	6,052	25	-	(110)	
Total ACE	206,281	197,680	3,753	4,849	(110)	
Unencumbered Funding						
Commercial Paper Net Interest		824				
Railroad Contributions Received		1,658				
		2,482				
		(110)				
Unallowables (est.)		2,372				
Net Unencumbered						

ACE Construction Authority Percent Funds Invested as a % of Indebtedness



ACE Construction Authority Investment Balances





Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: March 30, 2006

SUBJECT: Approval of Contract Amendment for Design Services for the Sunset Avenue Grade Separation Project with HNTB Corporation

RECOMMENDATION: Staff recommends that the Board authorize the Chief Executive Officer to amend the Sunset Avenue grade separation design contract with HNTB Corporation to increase the contract amount by \$162,000 to a new contract value of \$4,297,000 to add design services for an option of cast-in-place retaining walls for the railroad embankment, as well as other revisions to reduce construction costs.

BACKGROUND: At its February 2006 meeting, the Board approved the rejection of all bids received for the Sunset Avenue grade separation project on January 19, 2006. Those bids were based on a project designed with a pre-cast T-Wall™ embankment system. Also, at the February 2006 meeting, the Board approved a re-solicitation package that would offer bidders the option of bidding the project with either the pre-cast T-Wall system or a cast-in-place retaining wall system for the railroad embankment. In addition, requirements for the architectural finish for the embankment and the anti-graffiti treatment will be revised to reduce project cost.

HNTB Corporation is the designer of the Sunset Avenue grade separation project and will provide design services to incorporate the additional design option and the revisions to the architectural finish and anti-graffiti treatment into the new solicitation package.

The estimated additional engineering cost is \$162,000.

The history of the amendments affecting this contract value is as follows:

Board Action	Authorization	Executed Amount
Contract Award	\$ 3,140,000	\$ 3,140,000
Amendment No. 01	\$ 260,000	\$ 225,000
Amendment No. 04	\$ 150,000	\$ 150,000
Amendment No. 06	\$ 270,000	\$ 270,000
Amendment No. 07	\$ 350,000	\$ 350,000
This Request	\$ 162,000	\$ 162,000 (est.)
	\$ 4,332,000	\$ 4,297,000

BUDGET IMPACT: Funds for this contract are available from State TCRP funds and local MTA Proposition C Funds. Costs for this project have been included in the project budget.



Alameda Corridor-East Construction Authority

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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: March 30, 2006

SUBJECT: Exclusive Negotiation Agreement for Sale of Excess Property at the Nogales Street Grade Separation Project

RECOMMENDATION: Authorize staff to enter into an Exclusive Negotiation Agreement (ENA) with Residential Communities, Inc., for a period of ninety (90) days, and to determine the feasibility of a sale of the subject property to Residential Communities, Inc., for the development of an affordable housing project on the subject property. (plat map attached).

BACKGROUND: At the completion of the Nogales Street grade separation project, the subject property, which had been acquired by ACE for the project, was deemed surplus by the ACE Board. In accordance with the Authority's right-of-way guidelines and Caltrans right-of-way procedures, the subject property could then be offered for sale.

Government Code Section 54222 requires ACE to first offer the subject property to other governmental agencies for schools, parks and recreation or for other public purposes. In addition, Government Code Section 54223 provides for a priority to agencies for the purposes of developing low-to-moderate income housing. Within the low-to-moderate income housing priority for government agencies is a category of private sector purchasers who are certified by a governmental agency as qualified to either own, construct, acquire or rehabilitate a (low income) housing development" (a Housing Sponsor).

In September 2005, staff sent letters offering the subject property for sale to all relevant government agencies. Responses of interest from the agencies were due to ACE by November 05. No governmental agencies responded to ACE that they were interested in purchasing the subject property at fair market value. The City of West Covina did express interest in facilitating sale of the property.

Two developers presented themselves as a single Housing Sponsor, and offered to purchase the subject property on January 18, 2006, through their development entity, Residential Communities, Inc.

ACE staff commissioned an appraisal on February 02 in order to establish the fair market value of the subject property. Further, through consultation with ACE legal counsel, staff acknowledged that Residential Communities, Inc. was a Housing Sponsor, in accordance with Government Code Section 54223.

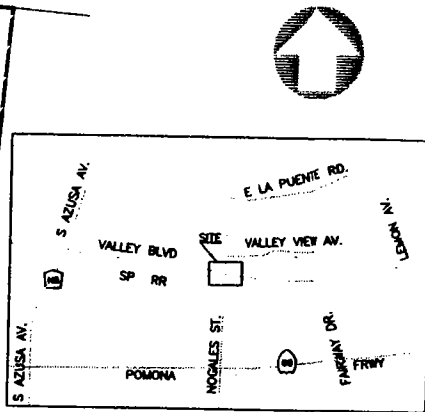
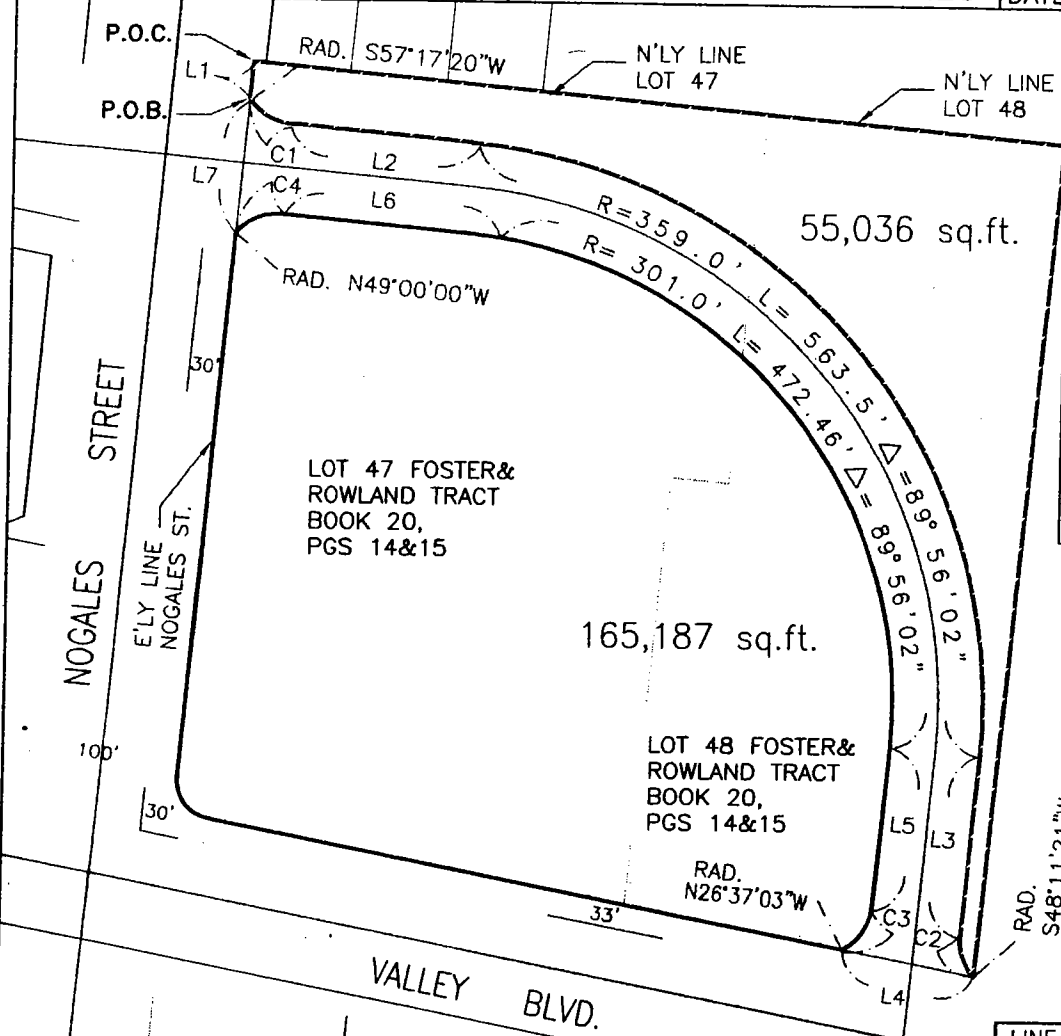
At this time, staff would recommend that 90-day ENA is the appropriate structure to begin the feasibility of a sale of the subject property, to determine the relative likelihood that Residential Communities, Inc. will develop affordable housing on the subject property. At the conclusion of the ninety 90-day negotiation period, staff would determine whether to recommend to the ACE Board that ACE enter into a Disposition Agreement (DA) to sell the subject property to Residential Communities, Inc.

During the duration of this negotiation agreement, the developer will be required to begin the process to obtain the necessary City of West Covina approvals, upon which the ultimate sale of the property would depend.

BUDGET IMPACT: Funds for negotiations pursuant to the ENA are included in the Authority's 2005-2006 budget.

EXHIBIT "B"

OWNER:	CITY OF WEST COVINA	ACE APPROVED: <i>[Signature]</i> CHIEF EXECUTIVE OFFICER DATE:
ALAMEDA CORRIDOR EAST	LOT 47 & 48	
CONSTRUCTION AUTHORITY	BOOK 20, PGS 14 & 15	
A.P.N. 8725-017-001, 8725-017-002, 8725-017-003 8725-017-005, 8725-017-011	COUNTY OF LOS ANGELES	



VICINITY MAP



P.O.B= POINT OF BEGINING
P.O.C= POINT OF COMMENCING

LINE	BEARING	DISTANCE
L1	S 05°06'30" W	21.38'
L2	S 84°55'08" E	121.59'
L3	S 05°00'55" W	115.49'
L4	N 79°01'00" W	86.19'
L5	N 05°00'55" E	102.28'
L6	N 84°55'08" W	120.95'
L7	N 05°06'30" E	86.02'

CURVE	LENGTH	DELTA	RADIUS
C1	31.89'	52°12'28"	35'
C2	28.64'	46°52'29"	35'
C3	35.65'	58°22'02"	35'
C4	33.03'	54°04'52"	35'

AREA	TOTAL	LOOP CONNECTOR	REMAINDER
SQUARE FEET	267,337 sq.ft.	47,114 sq.ft.	220,223 sq.ft.
ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY		GRADE SEPARATION No. 26 NOGALES ST. CITY OF WEST COVINA	
ACE APPROVED BY: <i>[Signature]</i> PROJECT MANAGER		DATE: 08-09-05 SCALE: 1" = 120' REV. No. 1 DATE: 08-15-05 REV. No. DATE:	



Alameda Corridor-East Construction Authority

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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: March 30, 2006

SUBJECT: Approval to Award Brea Canyon Road Grade Separation Construction Contract to Griffith Company

RECOMMENDATION:

1. Pursuant to Public Contract Code Section 5106, Alameda Corridor-East Construction Authority deems it to be in its best interest, upon expiration of the deadline for SEMA Construction, Inc. to enter into a contract for the Brea Canyon Road project, to award it to the second low, responsive, responsible bidder.
2. Staff recommends that the Board authorize the award of a contract to Griffith Company (Griffith) effective April 4, 2006, for construction of the Brea Canyon Road grade separation in an amount not to exceed \$39,958,807.

BACKGROUND: At your November 2004 meeting the Board approved the plans and specifications and authorized staff to solicit bids for the grade separation construction contract.

The Brea Canyon Road grade separation project includes construction of a Brea Canyon Road underpass at the UPRR LA subdivision tracks, a double-track railroad bridge, bridge abutments for future expansion, retaining walls, modifications to existing public streets, modifications to the Metrolink station parking lot, a double track shoofly during construction, a pump house, and utility relocations along Brea Canyon Road.

On February 23, 2006, we received the following bids:

- | | |
|----------------------------|-----------------|
| 1. SEMA Construction, Inc. | \$35,181,233.70 |
| 2. Griffith Company | \$39,958,807 |
| 3. Steve P. Rados, Inc. | \$44,678,223 |

All bids were reviewed and determined to be accurate and official bid results were issued on March 2, 2006. At your Special Meeting on March 9, 2006, you awarded the contract to SEMA Construction, Inc. The time for SEMA to execute the contract, as set forth in the IFB, expired. The Los Angeles Superior Court issued a Temporary

Restraining Order directing that no action be taken against SEMA, but did not prevent SEMA from signing the contract. The Court later vacated its order.

Low Bid Evaluation

Griffith's bid appears to be complete and responsive and exceeded the DBE goal. Griffith's bid exceeded the engineer's estimate but can be accommodated within a revised project budget. Griffith appears to be qualified to perform the work specified in the contract. The protest period will have elapsed by close of business on April 3, 2006.

DBE Subcontracting

Contract goal:	10%
Griffith Company:	11%

Schedule:

Notice to Proceed:	June 1, 2006 (approximate)
Completion:	730 calendar days after NTP

BUDGET IMPACT: Funds for the anticipated costs are available from state and federal funds.